

App. F. IX-4

Previous References

1930 .

Muzrai)

File No. 4-30

Serial Nos. 8-9

Later References

May 22/1930 134 or 31-32

May 20/31 1-14

May 108-32-448
22.39 (5.7)

General and Revenue Secretariat.

Serial Nos. 2

Part B for February 1931

SUBJECT.

Payment of cess by Mr. B. Narayana Reddy of Malasandra
Village, Bagelvalle Taluk in respect of Duam lands of the
Sri Adinarayana Swami Temple at Yellore Village.

No 1791 dated

13 2 - 31

To Mr. Belur Govindasa Sengupta,
Advocate on behalf of the
Petitioner.

No reason to interfere with the order
passed by the Muz. Comr. The appeal
is rejected as it is time-barred.

M -

mu3

Serial
No.
8

DEPARTMENTAL OFFICE
LEOED
- JAN. 1931

Appeal petition of 16.1.31 presented
by Mr. Belur Srinivasa Sengupta
Advocate Bangalore on behalf
of his Client B. Narayana
Reddi son of Bypa Reddy,
Mallasandra village
Bagepalli Taluk against
the order of the Revenue Commission
in Appeal No 5-3 of 1928-29
about the Inam land of the
temple of Sri Adinayana
Swami in Yellodu village.

(1) The decision of the M.C. is 23.9.29
Copy of the order was applied for on
6.12.30.

(2) The appeal is time barred

1 may be rejected.

3 for order -

SS MSK
19/1/31

Fl. Secy)

1) 20.1.31

3rd member) 20.1.31

1) may be sent to Dewan
&
24.1.31

Dewan) 24.1.31

I agree with
M.C. Reject for this
reason as also for that noted
23.1.31

File No. 4-

of 1930

General and Revenue
Secretariat

by Encl. subd

H. Secy.)

VS
9.2.31

6256

h
9.2.31

Issue
VS
9.2.31

No 1791 of 13/2/31 to Mr Belen
Srinivasa Sengupta Advocate Bangalore
city intimating that the appeal petition
referred to him is rejected

" Kind request is invited to the
Copy of the order passed by me.
For copies of this may be
returned to the advocate who filed
the petition.

(Hass.)
inv. to the appl. pet.

Where is the objection?

VS
14.2.31

Please return the enclosure
(Separated) to Mr Belen
Srinivasa Sengupta
Advocate. Bangalore
Bangalore city

B
4/3 ✓

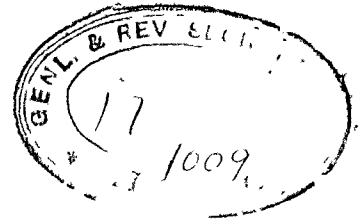
The Despatcher

Returned

14/3/31

petition Box
17/1

9501 TWO EES 4-2-8



BEFORE THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA

OF MYSORE. BANGALORE.

17/1 4-2-8

17.1.31

Muzrai Appeal Number. of 1930-31.

APPELLANT:- B.Narayana Reddy, son of Bypa Reddy,
Mallasandra Village, Bagepalli Taluk.

--,XXXXX;--

Under Section 21 of the Mysore Muzrai -
Regulation VI of 1913 - the Appellant above-
named most respectfully begs to appeal against
the order of the Muzrai Commissioner in Mysore
in Muzrai Appeal No. 53 of 1928-29 on the -
following grounds among others:-

FACTS:- The temple of Sri Adinarayana -
swami in Yellodu Village, Bagepalli Taluk is -
endowed with Inamthi Dry lands of 205 acres and
28 guntas assessed at Rs.283-8-0 situate in -
Chintalavaru palli, Kottur maganagere Hobli, Gori-
bidanur Taluk. The said lands were formerly in
the possession of Archaks of the Temple who were
not paying any Kandayam. The Archaks did not -
bring the lands to a cultivable state. The Muzrai
Officers of the Kolar District thereafter gave -
the lands with possession to one Lakshma Reddy for
a period of Six years - on a yearly gutta of --
Rs.300/-. The said Lakshma Reddy having incurred
heavy losses - left lands to the Government. Gutta

Gutta amounts due by him have not yet been -
realised. After him the lands were left -
fallow - and no one was prepared to take up
the lands. The temple could not realise -
even an income of Rs.35/- per annum. In 1925-
26. The appellant with a view to give a -
definite income to the temple agreed to take
the lands on a long lease of 20 years - and that
if should dig any wells and cause permanent -
improvements on the lands - that in period of
lease should be extended by another period of
20 years. The appellant while agreeing to take
up the lands for lease has clearly undertook to
pay only kadayam amount. Subsequent to his -
occupation the appellant has effected improve-
ments by incurring an expenditure of 7000/- Rs.
and has kept a heavy establishment on the land to
carry on agricultural work. In this state of -
affairs the Muzroi officers quote contrary to the
appellant's agreement have been insisting upon -
payments of the various Cesses which he is not -
liable to pay. The Muzroi Commissioner in --
Mysore also having concurred in the untenable -
demands of the District Officers - this appeal has
been filed.

GROUNDS:-

1. The learned Muzrai Commissioner erred in holding that the appellant was liable to pay the - various cesses, even though he had not contracted to pay them.

2. The learned Muzrai Commissioner erred in

erred in not considering the previous income -
from the lands to the temple.

3. The learned Muzrai Commissioner --
ought to have treated the appellant's content-
ions with greater sympathy as he has spent -
a heavy amount on the land - and as there are -
now better guarantees of a certain income for
the temple.

4. The learned Muzrai Commissioner erred
in upholding the coercive measures taken by the
District authorities in realising amounts which
the appellant was not liable to pay.

5. The learned Muzrai Commissioner erred
in not taking into consideration the strictness
with which the appellant has been paying the --
Gutta amount every year to the Government.

6. The Kandayam Amount is the rental of -
the land. The Appellant has not been an occu-
pant of the lands in the sence in which it is --
understood by the Land Revenue Code. As such -
he is not liable to pay any Cess.

7. With all the improvements the appella-
nt has effected on the lands - he has not been -
realising an income which would balance his --
expenditure.

8. The Order of the Muzrai Commissioner -
is illegal and inequitable.

WHEREFORE THE Appellant prays that the

that the learned Muzrai Commissioner's Order
 be kindly set aside - and excess amounts --
 amounts collected by him by means of coercive
 steps be kindly remitted to him. Pending the

*disposal of the appeal, the proceedings of
 the Muzrai Commissioner be kindly directed to the*

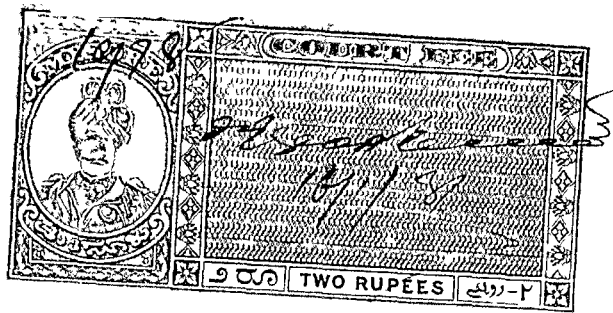
BANGALORE

16/1/31

} Staged

Delius Dushkoff

ADVOCATE FOR APPELLANT.



In the Court of

Before the Government of His
Highness the Maharajah of Mysore

Muz. appeal No. of 1930 - 1931 ..

Appellant Plaintiff

Respondent Defendant

B Narayana Rao Vs. _____
Mallabandara _____
Bagehalli _____

I, the appellant above named do, by these presents, retain

Messrs BELUR SRINIVASIENGAR, B.A., B.L. MLC., M.R.A
and N. RAMA IYENGAR, B.A., L.L.B., Advocates

to appear and conduct the above case on behalf to judgment

2. further empower them to do all necessary acts in the above
case, to execute any decree or order that may be passed in behalf
and to receive from the Court all documents, refunds and all sums of money
that may be entitled to get and grant receipts therefor

3. also undertake to confirm and ratify all the acts done by the said
Advocates or by any other Advocate on their behalf in so doing

16.1.1931, }
BANGALORE.

29. 2. 1931
[Signature]

Personally known to us and signed in our presence.—ACCEPTED.

[Signature]

Advocates.

[Signature]

Advocates for.....

General and Revenue Secretariat

Dated, Bangalore, 10th February 1931.

No. 1791/muz 4-30-9

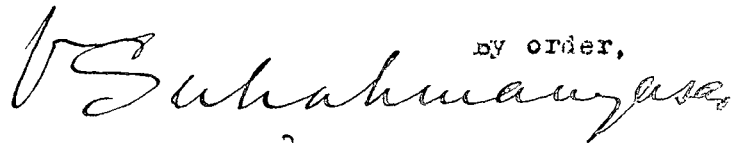
132

ENDORSEMENT.

Subject..

Appeal petition dated 16th January 1931 against the orders of the muzrai Commissioner in Appeal No. 53 of 1928-29 on his file in the matter of payment of cesses by Mr. B. Narayana Reddi of Mallasandra village, Bigepalli Taluk in respect of Inam lands of the Sri Adinarayana swami temple in Yellodu village.

Mr. Belur Srinivasa Iyengar is informed that Government see no reason to interfere with the orders passed by the muzrai Commissioner. The appeal petition is also time-barred. It is rejected.

by order,


for Secretary to Government
Financial Department.

To

Belur Srinivasa Iyengar, Esq., B.A., B.L.,
Advocate, Chickpet, Bangalore City.

C.R.G.2.

Diary No. of letter replied to.....

General and Revenue Secretariat
()
the 193 .

Date of issue.....13.2.31.....

Signed by.....*Wm. V. S. Sastri*.....

List of enclosures.....*enc. part A on*
u 3. 31
WV

Copied by.....*WV*.....

Examined by.....

Section 1743
File No. 4-30
Serial No. 9
No. 1791

To
Belur Srinivasa Sastri
Advocate.
Chidambaram
Bangalore city

Subject: - Appeal
petition dated 16-1-31
Against the order of the
in Appeal No. 53 of 1928-29 on the file
No. in the matter of
Payment of cesses
by *M. Narayana Reddi*
of *Mallakonda* village
Bagepalle Tal in respect
of *man lands* of the
Sri Adinayana Swami
temple in Jellodu village
~~*of the temple*~~

over

